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JUL 05 2006

In re Application of	:	OFFICE OF PETITIONS
Bruce B. Bealke et al.	:	
Application No. 10/820,193	:	DECISION ON PETITION
Filed: April 6, 2004	:	UNDER 37 C.F.R. §1.137(b)
Attorney Docket Number: BEALKE-3	:	
Title: DOUBLE BLIND EVALUATION	:	
METHOD FOR MALPRACTICE CLAIMS	:	

This is a decision on the petition filed March 8, 2006, pursuant to 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice of Missing Parts (notice), mailed June 21, 2004, which indicated that \$145 was due for the filing of a multiple dependent claim and set a shortened statutory period for reply of two (2) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on August 22, 2004.

1 A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

With this petition, Petitioner has submitted the petition fee and the required statement of unintentional delay. A terminal disclaimer is not required.

Petitioner has further submitted an amendment, which cancels the multiple dependent claim, and thus constitutes the required reply.

As such, the petition is **GRANTED**.

The Office of Initial Patent Examination will be notified of this decision.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
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